

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

AMERICAN ACQUISITIONS, LLC,

Plaintiff,

JOSEPH J. BIANCO,
BRUCE RABEN,
MANUEL FERNANDEZ, AND
CRAIG ELLINS,

Defendants.

Civil Action No. 08-cv-000173

ASSENTED-TO MOTION TO DISMISS WITH PREJUDICE

The plaintiff, American Acquisitions, LLC (“American”) moves to dismiss this action with prejudice pursuant to a settlement agreement between the parties. Counsel for the Defendants assents to the relief requested herein.

Respectfully submitted,

AMERICAN ACQUISITIONS, LLC

By its attorneys:

/s/ Robert B. Smith
Robert B. Smith, Esq. (#RS2827)
Nelson, Kinder, Mosseau & Saturley, P.C.
45 Milk Street
Boston, MA 02109
617-778-7500
rsmith@nkms.com

Dated: March 19, 2008

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above document was sent to the following by first-class mail, postage prepaid:

Richard Lucas, Esq., Counsel for Defendants
Arnold & Porter LLP
555 Twelfth Street, NW
Washington, DC 20004-1206

Dated: March 19, 2008

/s/ Robert B. Smith
Robert B. Smith, Esq. (#RS2827)